

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Michael Lee Sexton

Case No. 2:19-mj-247

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 27, 2017-February, 2018 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. 1344(2)

Bank Fraud

18 U.S.C. 1708

Theft or Receipt of Stolen Mail Matter Generally

18 U.S.C. 1028A(a)(1)

Aggravated Identity Theft

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.


Complainant's signature

Timothy D. McCall, U.S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date:

March 28, 2019

City and state:

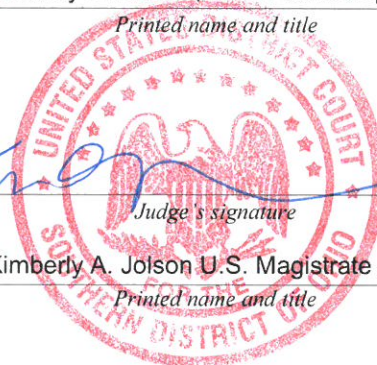
Columbus, OH



Judge's signature

Kimberly A. Jolson U.S. Magistrate Judge

Printed name and title



AFFIDAVIT TO CRIMINAL COMPLAINT AGAINST
MICHAEL LEE SEXTON

I, Timothy D. McCall, being duly sworn, depose and state as follows:

1. I am a U.S. Postal Inspector with the U.S. Postal Inspection Service in Columbus, Ohio and have been so employed since August 2015. I am a sworn federal law enforcement officer empowered to investigate criminal activity involving or relating to the United States Postal Service (USPS) and/or U.S. Mail. The crimes investigated include those such as theft, burglary, robbery, assault, homicide, dangerous mailings, narcotics, identity theft, and fraud. I received initial training for these types of investigations through the U. S. Postal Inspection Service, Basic Inspector Training (BIT). I was previously a Federal Agent with the U.S. Department of Energy/National Nuclear Security Administration for 10 years, sworn to enforce federal laws. I also served as a local police officer for five years, enforcing state laws, local ordinances, and conducting preliminary investigations, including fraud investigations. I received further experience through a Bachelor of Interdisciplinary studies with a Cognate in Criminal Justice and Minor Strategic Intelligence.

Introduction

2. The information contained within this affidavit is based upon information I have gained from my investigation, my personal observations, my training and experience, and/or information relayed to me by other Postal Inspectors, and law enforcement officers and/or agents. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that **Michael Sexton** (hereinafter **Sexton**) committed violations of bank fraud, Title 18 U.S.C. Section 1344(2), theft or receipt of stolen mail matter generally, Title 18 U.S.C. Section 1708, and aggravated identity theft, Title 18 U.S.C. 1028A(a)(1).

Background

3. The U.S. Postal Inspection Service is conducting an investigation involving the theft of U.S. Mail from business and residential mail boxes. The investigation revolves around financial instruments such as business checks, personal checks, money orders, and items containing personal identifiable information being stolen from the mail boxes. The financial instruments are then altered and cashed in either personal bank accounts or at check cashing facilities and financial institutions throughout Ohio. The obtained personal identifiable information is used to open bank accounts and credit cards online under the victim's name/s.

Facts Establishing Probable Cause

4. On or about December 27, 2017, a check in the amount of \$1,512.25, which had been reported stolen from the U.S. Mail and altered, was mobile deposited into the personal J.P. Morgan Chase account of **Sexton**. The check was later found in **Sexton's** possession on January 25, 2018 during a search incident to arrest and vehicle inventory.
5. On or about December 28, 2017, a check in the amount of \$740, which had been reported stolen from the U.S. Mail and forged, was mobile deposited into the personal J.P. Morgan Chase account of **Sexton**.
6. On or about January 4, 2018, a check in the amount of \$491.65, which had been reported stolen from the U.S. Mail and forged, was mobile deposited into the personal Citizens Bank account of **Sexton**. The check was later found in **Sexton's** possession on January 25, 2018 during a search incident to arrest and vehicle inventory.
7. On or about January 24, 2018, a Huntington National Bank account was opened online in the name of DH with DH's personal identifiable information. The account was opened with the use of **Sexton's** mobile telephone number. The account had two checks, in the amounts of \$100 and \$30.36, mobile deposited into them on the same day using **Sexton's** mobile telephone number. These checks, along with DH's driver license and social security card, were later found in **Sexton's** possession on January 25, 2018 during a search incident to arrest and vehicle inventory.
8. Previously on or about June 9, 2017, **Sexton** is seen on security video from Dollar General taking DH's wallet from the counter. DH had accidentally left his wallet while making a purchase immediately before.
9. On or about January 25, 2018, **Sexton** was arrested by Franklin County, OH Sheriff's Office (hereinafter FCSO) deputies. **Sexton** had over 100 pieces of U.S. Mail in his possession to include W-2's, employment applications, credit cards, and checks. Eight of the checks had been endorsed by **Sexton** and one check had a forged endorsement of DH, a victim previously mentioned in this affidavit. Two credit cards were in the name of KH. KH stated during an interview he did not open the credit card accounts.
10. On or about February 22, 2018, mail in the name of KH was found by the owner of a residence where **Sexton** had previously resided.
11. On or about February 23, 2018, FCSO Detective Reed executed a search warrant and

discovered two credit Capital One Master Cards in the names of RD and BD which had been reported stolen from the U.S. Mail. Previously on or about February 22, 2018, a television was found in **Sexton's** vehicle which had been purchased via Walmart.com with RD as purchaser and **Sexton** listed to pick up the item.

12. On or about February 23, 2018, KW filed a report with the Columbus Division of Police for identity fraud. Previously on or about January 25, 2018, mail and a W-2 in KW's name were found in Sexton's vehicle during a search incident to arrest and vehicle inventory.
13. On or about March 29, 2018, CITI Bank Security and Investigations verified two credit cards were applied for in KW's name using **Sexton's** mobile telephone number.
14. There are more than 270 victims with an excess of \$30,000 in loss associated with Sexton's activity.

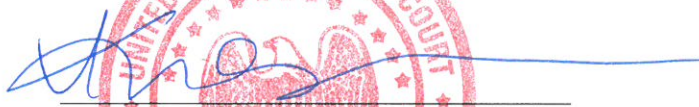
Conclusion

15. Based on the information contained herein, I maintain that there is probable cause to believe **Michael Lee Sexton** did commit bank fraud in violation of Title 18 U.S.C. Section 1344(2), theft or receipt of stolen mail matter generally in violation of Title 18 U.S.C. Section 1708, and aggravated identity theft in violation of Title 18 U.S. C. Section 1028A(a)(1).



Timothy D. McCall
U.S. Postal Inspector

Sworn to before me, and subscribed in my presence, on this 28th day of March 2019, at Columbus, Ohio.



The Honorable Kimberly A. Jolson
United States Magistrate Judge
Southern District of Ohio